

AMENDMENT TRANSMITTALPATENT

Application No.: 09/461,158  
Filing Date: December 14, 1999  
First Named Inventor Anne E. Miller  
Examiner's Name: Chen, Kin Chan  
Art Unit: 1765  
Attorney Docket No.: 42390.P6958

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

Preliminary Amendment  
 Amendment/Response with respect to Office Action  
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)  
 Notice of Appeal  
 RCE (Request for Continued Examination)  
 Supplemental Declaration  
 Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)  
 Information Disclosure Statement (IDS)  
 Copies of IDS citations  
 Petition for Extension of Time  
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)  
 Cross-Reference to Related Application(s)  
 Certified Copy of Priority Document  
 Other: \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Check(s)  
 Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
TYPED OR PRINTED NAME: Heather M. Moller, Reg. No. 50,432

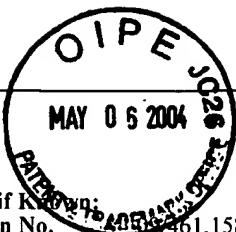
SIGNATURE: H Moller DATE: 5/3/04  
ADDRESS: 12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025  
TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

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Claire Wallters Date of Deposit  
Claire Wallters Name of Person Mailing Correspondence 5/3/2004  
Claire Wallters Signature Date

Express Mail Label No. (if applicable): \_\_\_\_\_



# FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

**TOTAL AMOUNT OF PAYMENT (\$)** 770.00

Complete if Known:

Application No. 10537461,158

Filing Date December 14, 1999

First Named Inventor Anne E. Miller

Examiner Name Chen, Kin Chan

Art Unit 1765

Attorney Docket No. 42390.P6958

Applicant claims small entity status. See 37 CFR 1.27.

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name:

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Credit any overpayments.

Charge any additional fees during the pendency of this application.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Charge fee(s) indicated below except for the filing fee.

## FEE CALCULATION

### 1. BASIC FILING FEE

#### Large Entity      Small Entity

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
1001	7702001	385		Utility application filing fee
1002	3402002	170		Design application filing fee
1003	5302003	265		Plant filing fee
1004	7702004	385		Reissue filing fee
1005	1602005	80		Provisional application filing fee

Fee Paid  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUBTOTAL (1) \$ 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims			Fee from below	Fee Paid
Total Claims	<u>9</u>	<u>- 27** = 0</u>	X	_____ = _____
Independent Claims	<u>2</u>	<u>- 4** = 0</u>	X	_____ = _____
Multiple Dependent				_____ = _____

\*\*Or number previously paid, if greater; For Reissues, see below.

#### Large Entity      Small Entity

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
1202	182202	9		Claims in excess of 20
1201	862201	43		Independent claims in excess of 3
1203	2902203	145		Multiple dependent claim, if not paid
1204	862204	43		**Reissue independent claims over original patent
1205	182205	9		**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

<b>Large Entity</b>	<b>Small Entity</b>	<b>Fee Description</b>	<b>Fee Paid</b>
Fee Code	Fee Code		
1051 130	2051 65	Surcharge - late filing fee or oath	_____
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	_____
1053 130	1053 130	Non-English specification	_____
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	_____
1813 8,800	1813 8,800	Request for inter partes reexamination	_____
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	_____
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	_____
1251 110	2251 55	Extension for reply within first month	_____
1252 420	2252 210	Extension for reply within second month	_____
1253 950	2253 475	Extension for reply within third month	_____
1254 1,480	2254 740	Extension for reply within fourth month	_____
1255 2,010	2255 1,005	Extension for reply within fifth month	_____
1401 330	2401 165	Notice of Appeal	_____
1402 330	2402 165	Filing a brief in support of an appeal	_____
1403 290	2403 145	Request for oral hearing	_____
1451 1,510	1451 1,510	Petition to institute a public use proceeding	_____
1452 110	2452 55	Petition to revive - unavoidable	_____
1453 1,330	2453 665	Petition to revive - unintentional	_____
1501 1,330	2501 665	Utility issue fee (or reissue)	_____
1502 480	2502 240	Design issue fee	_____
1503 640	2503 320	Plant issue fee	_____
1460 130	1460 130	Petitions to the Commissioner	_____
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	_____
1806 180	1806 180	Submission of Information Disclosure Stmt	_____
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	_____
1809 770	2809 385	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814 110	2814 55	Statutory Disclaimer	_____
1810 770	2810 385	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801 770	2801 385	Request for Continued Examination (RCE)	770.00
1802 900	1802 900	Request for expedited examination of a design application	_____
1504 300	1504 300	Publication fee for early, voluntary, or normal pub.	_____
1505 300	1505 300	Publication fee for republication	_____
1803 130	1803 130	Request for voluntary publication or republication	_____
1808 130	1808 130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454 1,330	1454 1,330	Acceptance of unintentionally delayed claim for priority	_____
Other fee (specify)			_____
Other fee (specify)			_____

**SUBTOTAL (3) \$ 770.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Heather M. Molleur

Signature: HMolleur Date: 5/3/04

Reg. Number: 50,432 Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/461,158  
Filing Date December 14, 1999  
First Named Inventor Anne E. Miller  
Art Unit 1765  
Examiner Name Chen, Kin Chan  
Attorney Docket No. 42390.P6958

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii.  Other \_\_\_\_\_

b.  Enclosed

i.  Preliminary Amendment/Reply

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other \_\_\_\_\_

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.

i.  RCE fee required under 37 C.F.R. § 1.17(e)

ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii.  Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action

iv.  Other \_\_\_\_\_

b.  Check in the amount of \$ 770.00 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Heather M. Molleur Registration No. (Attorney/Agent) 50,432  
Signature H. Molleur Date 5/3/04

### CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type) Claire Wallters Date 5/3/2004  
Signature Claire Wallters

Express Mail No. (only if applicable): \_\_\_\_\_

05/07/2004 AWONDAF1 00000084 09461158

01 FC:1801

770.00 OP



Application No. 09/461,158  
Amendment, dated May 3, 2004  
Reply to Office Action of February 3, 2004

Attorney's Docket No.: 42390.P6958

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: )  
Anne E. Miller et al. )  
U.S. Serial No: 09/461,158 )  
Filed: December 14, 1999 )  
For: HIGH PH SLURRY FOR )  
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POLISHING OF COPPER )  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner: Chen, Kin Chan

Art Unit: 1765

**PRELIMINARY AMENDMENT**

In response to the Final Office Action mailed February 3, 2004 and the Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 filed concurrently herewith, Applicant respectfully requests the Examiner to enter this preliminary amendment and consider the remarks prior to examination of the above referenced case

**FIRST CLASS CERTIFICATE OF MAILING**

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on May 3, 2004 Date of Deposit

Claire Wallters  
Name of Person Mailing Correspondence

Signature

5/3/2004  
Date